

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO.: 1:06-cr-00091-SLT-15

vs.

HERMEL ARNUBIO ALARCON DIAZ,

Defendant.

_____ /

MOTION TO WITHDRAW AS COUNSEL

COMES NOW, the undersigned counsel, VICTOR E. ROCHA, P.A., and respectfully files this his Motion to Withdraw as counsel for the Defendant, HERMEL ARNUBIO ALARCON DIAZ, and as grounds in support thereof the defense would state the following:

1. The undersigned counsel was retained on July 15, 2011 by the above-captioned Defendant to represent him in this matter.
2. The Defendant arrived in the United States on February 27, 2012 and was arraigned on said date.

3. On May 1, 2012, the Court held a Curcio Hearing, wherein the Court cautioned the Defendant regarding counsel's representation of multiple Defendants in this case.

4. Subsequent to the hearing, the Defendant became extremely nervous regarding the issue of conflict of interest and decided that he no longer wished to be represented by the undersigned counsel but instead hired Jeffrey M. Cohn. Mr. Cohn filed his permanent Notice of Appearance on May 18, 2012.

5. In order to avoid a potential conflict of interest and noting that Mr. Alarcon has hired other counsel, the undersigned counsel respectfully requests this Honorable Court to permit him to withdraw from representation of this Defendant.

WHEREFORE, the undersigned counsel respectfully request this motion be granted and he be withdrawn as attorney of record in the above-captioned case.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of July 2012 a true and correct copy of the foregoing was electronically filed using the CM/ECF filing system.

Respectfully submitted,

LAW OFFICES OF VICTOR E. ROCHA, P.A.

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/s/ Victor E. Rocha

By: _____

Victor E. Rocha, Esq.

NY Bar Number: VR9648